

UNITED STATES OF AMERICA v. ALONZO SHIPP, 19 CR 29

Voir Dire – Case Background for Potential Jurors

This case is titled *United States of America v. Alonzo Shipp*. It is a criminal case. The charges against Mr. Shipp are set forth in an indictment. An indictment is a formal method of accusing a defendant of a crime. The indictment, however, is not evidence of any kind against the defendant. It is only a statement of what crimes the Government wishes to prove during the trial. It is the Government's burden of proof to establish beyond a reasonable doubt that the defendant is guilty of the crimes charged in the indictment.

The indictment in this case charges the defendant, Alonzo Shipp, with two crimes. First, the defendant is charged with illegally possessing a particular firearm. Specifically, the indictment alleges that on or about July 20, 2018, the defendant possessed a Sig Sauer P320 9 mm firearm, having previously been convicted by a crime punishable by a term of imprisonment exceeding one year. Second, the defendant is charged with illegally possessing particular ammunition. Specifically, the indictment alleges that on or about July 20, 2018, the defendant possessed a 9 mm Luger spent shell casing~~possessed ammunition~~, having previously been convicted by a crime punishable by a term of imprisonment exceeding one year. Mr. Shipp has pleaded not guilty to each of the two charges and is presumed innocent. Let me stop here and caution you that you may hear argument by the government that Mr. Shipp committed a shooting. Mr. Shipp is not charged with a shooting. Instead, he is charged with possessing the specific gun and shell casing charged in the indictment. There are no charges here as to possessing other guns or other ammunition not named in the indictment.

Now~~T~~he defendant's plea of "not guilty" to possessing that specific firearm and specific shell casing has raised issues of fact to be determined by a jury. Let me now advise you that it is

the government that has the burden of proof to establish a defendant's guilt beyond a reasonable doubt. The defendant is presumed to be innocent and has absolutely no burden to prove that he is not guilty. In that regard defendant has no burden to present any evidence or to testify. Since the defendant has the right to remain silent, the law prohibits you from considering when you deliberate that the defendant may not have testified. This is a basic principle of our criminal justice system.

The role of the jury is to decide the facts. The judge does not have any role to play in your determination of the facts. What the judge does is to instruct you on the applicable law. You will apply the law I instruct you on to the facts as you find them, and your conclusion will be your verdict. You must apply the law as stated by the court regardless of any opinion you personally have as to what the law is or should be. If any of you would have any difficulty doing this, you must bring that to my attention.